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January 19, 2022

Hon. Loretta A. Preska
United States District Judge
Southern District of New York
500 Pearl Street
New York, N.Y. 10007
Via ECF.

Re: United States v. Donziger, No. 19-cr-561 (LAP), 11-civ-691 (LAK)

Dear Judge Preska:

Happy New Year! I hope the year brings us all peace, good health, and justice in the matter of Steven Donziger and the Indigenous peoples of Ecuador, as unlikely as that appears.

I write, once again, to request you modify your Order of July 22, 2020, Dkt. 108, to address the failure of the private prosecutors to provide timely records of the taxpayer funds expended in Judge Kaplan's chimeric efforts to demonize Mr. Steven Donziger; an endeavor commenced by Chevron over a decade ago. I noted in my November 24, 2020 application (Dkt. 218) that the prosecutors appeared to have changed their billing habits to circumvent the spirit of the Order. After this Court indulged that behavior, it has only gotten worse.

We have received paid invoice information for August 2019-December, 2021 and April thru June, 2021. We have not received invoices from January 2021 through March, 2021. We have received nothing from July 2021 to date; that is, we have received no invoices for the last six months running.

Again, there is a deep public interest in determining how much taxpayer money has been funneled into the hands of private lawyers to pay for a prosecution that the U.S. Attorney for the Southern District of New York lacked the resources

to pursue. At this point the paid total to the private prosecutors is over \$600,000.00 and we suspect that the actual total to be paid will be in seven figures and is still accruing. The private prosecutors, having done quite well on this and other matters, seem to be in no great hurry to timely submit their invoices and thereby be subject to additional public scrutiny. But this Court should not aid them in that dubious process of obfuscation.

Therefore, I would request that this Court order the private prosecutors, within five business days, to disclose all time-records that have been submitted for billing or will be submitted for billing for the year 2021, excluding those that have been already provided. This will guarantee that the public's right to know will not be frustrated.

Sincerely,



Ronald L. Kuby

The Special Prosecutors shall inform the Court by letter no later than January 21, 2022 whether they intend to respond to Mr. Kuby's request.

SO ORDERED.

Dated: January 19, 2022
New York, New York



LORETTA A. PRESKA
Senior United States District Judge